

53B-2-108.1 Appropriations reallocation -- Presidents' authority.

- (1) Notwithstanding the requirements of Title 63J, Chapter 1, Budgetary Procedures Act, appropriations for the support of higher education for the fiscal years 2008-09 and 2009-10 may be reallocated between line items as provided in this section.
- (2)
 - (a) The president of the University of Utah may reallocate between line items the appropriations:
 - (i) described in Items 119-128 in S.B. 1, 2008 General Session; and
 - (ii) as modified by supplemental appropriations, including H.B. 2, 2008 General Session, H.B. 3, 2008 General Session, H.B. 4, 2008 General Session, S.B. 2001, 2008 Second Special Session, H.B. 3, 2009 General Session, and any other supplemental or other appropriations for the 2008-09 fiscal year.
 - (b)
 - (i) The total amount of money reallocated may not exceed the net reduction for the 2008-09 fiscal year.
 - (ii) The percent of a line item appropriation that may be reallocated may not exceed the sum of:
 - (A) 5%; and
 - (B) 1.5 times the percent of any reduction in appropriations to the University of Utah for fiscal year 2008-09 made after the 2009 General Session.
- (3)
 - (a) The president of Utah State University may reallocate between line items the appropriations:
 - (i) described in Items 129-137 in S.B. 1, 2008 General Session; and
 - (ii) as modified by supplemental appropriations, including H.B. 2, 2008 General Session, H.B. 3, 2008 General Session, H.B. 4, 2008 General Session, S.B. 2001, 2008 Second Special Session, H.B. 3, 2009 General Session, and any other supplemental or other appropriations for the 2008-09 fiscal year.
 - (b)
 - (i) The total amount of money reallocated may not exceed the net reduction for the 2008-09 fiscal year.
 - (ii) The percent of a line item appropriation that may be reallocated may not exceed the sum of:
 - (A) 5%; and
 - (B) 1.5 times the percent of any reduction in appropriations to Utah State University for fiscal year 2008-09 made after the 2009 General Session.
- (4)
 - (a) The president of Weber State University may reallocate between line items the appropriations:
 - (i) described in Items 138 and 139 in S.B. 1, 2008 General Session; and
 - (ii) as modified by supplemental appropriations, including H.B. 2, 2008 General Session, H.B. 3, 2008 General Session, H.B. 4, 2008 General Session, S.B. 2001, 2008 Second Special Session, H.B. 3, 2009 General Session, and any other supplemental or other appropriations for the 2008-09 fiscal year.
 - (b)
 - (i) The total amount of money reallocated may not exceed the net reduction for the 2008-09 fiscal year.
 - (ii) The percent of a line item appropriation that may be reallocated may not exceed the sum of:
 - (A) 5%; and
 - (B) 1.5 times the percent of any reduction in appropriations to Weber State University for fiscal year 2008-09 made after the 2009 General Session.
- (5)

- (a) The president of Southern Utah University may reallocate between line items the appropriations:
 - (i) described in Items 140-143 in S.B. 1, 2008 General Session; and
 - (ii) as modified by supplemental appropriations, including H.B. 2, 2008 General Session, H.B. 3, 2008 General Session, H.B. 4, 2008 General Session, S.B. 2001, 2008 Second Special Session, H.B. 3, 2009 General Session, and any other supplemental or other appropriations for the 2008-09 fiscal year.
- (b)
 - (i) The total amount of money reallocated may not exceed the net reduction for the 2008-09 fiscal year.
 - (ii) The percent of a line item appropriation that may be reallocated may not exceed the sum of:
 - (A) 5%; and
 - (B) 1.5 times the percent of any reduction in appropriations to Southern Utah University for fiscal year 2008-09 made after the 2009 General Session.
- (6)
- (a) The president of Snow College may reallocate between line items the appropriations:
 - (i) described in Items 144-146 in S.B. 1, 2008 General Session; and
 - (ii) as modified by supplemental appropriations, including H.B. 2, 2008 General Session, H.B. 3, 2008 General Session, H.B. 4, 2008 General Session, S.B. 2001, 2008 Second Special Session, H.B. 3, 2009 General Session, and any other supplemental or other appropriations for the 2008-09 fiscal year.
- (b)
 - (i) The total amount of money reallocated may not exceed the net reduction for the 2008-09 fiscal year.
 - (ii) The percent of a line item appropriation that may be reallocated may not exceed the sum of:
 - (A) 5%; and
 - (B) 1.5 times the percent of any reduction in appropriations to Snow College for fiscal year 2008-09 made after the 2009 General Session.
- (7)
- (a) The president of Dixie State College may reallocate between line items the appropriations:
 - (i) described in Items 147-149 in S.B. 1, 2008 General Session; and
 - (ii) as modified by supplemental appropriations, including H.B. 2, 2008 General Session, H.B. 3, 2008 General Session, H.B. 4, 2008 General Session, S.B. 2001, 2008 Second Special Session, H.B. 3, 2009 General Session, and any other supplemental or other appropriations for the 2008-09 fiscal year.
- (b)
 - (i) The total amount of money reallocated may not exceed the net reduction for the 2008-09 fiscal year.
 - (ii) The percent of a line item appropriation that may be reallocated may not exceed the sum of:
 - (A) 5%; and
 - (B) 1.5 times the percent of any reduction in appropriations to Dixie State College for fiscal year 2008-09 made after the 2009 General Session.
- (8)
- (a) The president of the College of Eastern Utah may reallocate between line items the appropriations:
 - (i) described in Items 150-153 in S.B. 1, 2008 General Session; and
 - (ii) as modified by supplemental appropriations, including H.B. 2, 2008 General Session, H.B. 3, 2008 General Session, H.B. 4, 2008 General Session, S.B. 2001, 2008 Second Special

Session, H.B. 3, 2009 General Session, and any other supplemental or other appropriations for the 2008-09 fiscal year.

(b)

- (i) The total amount of money reallocated may not exceed the net reduction for the 2008-09 fiscal year.
- (ii) The percent of a line item appropriation that may be reallocated may not exceed the sum of:
 - (A) 5%; and
 - (B) 1.5 times the percent of any reduction in appropriations to the College of Eastern Utah for fiscal year 2008-09 made after the 2009 General Session.

(9)

- (a) The president of Utah Valley University may reallocate between line items the appropriations:
 - (i) described in Items 154 and 155 in S.B. 1, 2008 General Session; and
 - (ii) as modified by supplemental appropriations, including H.B. 2, 2008 General Session, H.B. 3, 2008 General Session, H.B. 4, 2008 General Session, S.B. 103, 2008 General Session, S.B. 2001, 2008 Second Special Session, H.B. 3, 2009 General Session, and any other supplemental or other appropriations for the 2008-09 fiscal year.

(b)

- (i) The total amount of money reallocated may not exceed the net reduction for the 2008-09 fiscal year.
- (ii) The percent of a line item appropriation that may be reallocated may not exceed the sum of:
 - (A) 5%; and
 - (B) 1.5 times the percent of any reduction in appropriations to Utah Valley University for fiscal year 2008-09 made after the 2009 General Session.

(10)

- (a) The president of Salt Lake Community College may reallocate between line items the appropriations:
 - (i) described in Items 156-158 in S.B. 1, 2008 General Session; and
 - (ii) as modified by supplemental appropriations, including H.B. 2, 2008 General Session, H.B. 3, 2008 General Session, H.B. 4, 2008 General Session, S.B. 2001, 2008 Second Special Session, H.B. 3, 2009 General Session, and any other supplemental or other appropriations for the 2008-09 fiscal year.

(b)

- (i) The total amount of money reallocated may not exceed the net reduction for the 2008-09 fiscal year.
- (ii) The percent of a line item appropriation that may be reallocated may not exceed the sum of:
 - (A) 5%; and
 - (B) 1.5 times the percent of any reduction in appropriations to Salt Lake Community College for fiscal year 2008-09 made after the 2009 General Session.

(11)

- (a) The State Board of Regents may reallocate between line items the appropriations:
 - (i) described in Items 168-178 in S.B. 1, 2008 General Session and money appropriated in H.B. 86, 2008 General Session, and S.B. 180, 2008 General Session; and
 - (ii) as modified by supplemental appropriations, including H.B. 2, 2008 General Session, H.B. 3, 2008 General Session, H.B. 4, 2008 General Session, S.B. 2001, 2008 Second Special Session, H.B. 3, 2009 General Session, and any other supplemental or other appropriations for the 2008-09 fiscal year.

(b)

- (i) The total amount of money reallocated may not exceed the net reduction for the 2008-09 fiscal year.
 - (ii) The percent of a line item appropriation that may be reallocated may not exceed the sum of:
 - (A) 5%; and
 - (B) 1.5 times the percent of any reduction in appropriations to the State Board of Regents for fiscal year 2008-09 made after the 2009 General Session.
- (12)
- (a) The State Board of Regents and an institution listed in Subsections (2) through (10) may reallocate appropriations between line items for the 2009-10 fiscal year, in accordance with Subsection (12)(b).
 - (b) The percent of a line item appropriation that may be reallocated may not exceed 1.5 times the percentage difference between:
 - (i) ongoing appropriations for the State Board of Regents or institution in the 2008-09 fiscal year; and
 - (ii) appropriations for the State Board of Regents or institution in the 2009-10 fiscal year.
- (13) In the 2008-09 and 2009-10 fiscal years, the president of each institution is encouraged, as soon as is reasonably possible, to exercise the budget authority provided under Subsection 53B-2-106(1)(b), as needed, to balance budgets and maintain the effective and efficient administration and operation of the institution consistent with reduced institutional funding.

Amended by Chapter 370, 2009 General Session